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## **U.S. Department of Justice**

United States Attorney Eastern District of New York

JEG:CAC F.#2010R00147 271 Cadman Plaza East

Brooklyn, New York 11201

September 29, 2010

## BY HAND DELIVERY AND ECF

The Honorable Allyne R. Ross United States District Court Eastern District of New York 225 Cadman Plaza East Brooklyn, New York 11201

Re: United States v. Rasheed Johnson Criminal Docket No. 07-031 (ARR)

Dear Judge Ross:

The government writes to update the Court on the status of the defendant's criminal case that is currently pending in Supreme Court, New York County, and to respectfully request that tomorrow's status conference be adjourned until a date after October 28, 2010.

The defendant last appeared in state court on September 23, 2010. At the appearance, the defendant was assigned a new defense attorney, Toni Massino, Esq, because his prior counsel had failed to make court appearances. The court was also advised that Johnson is scheduled for more medical treatment on September 30, 2010. The state case is now scheduled for an update on October 28, 2010, at which time the court will determine if he is ready to be sentenced.

Given that the defendant is continuing treatment and has not be sentenced in his state case, the parties jointly respectfully request that the status conference before Your Honor, currently scheduled for September 30, 2010, be adjourned until a date after the defendant's October 28, 2010 state court appearance. The government has spoken to Probation Officer Javier Enciso, and he confirmed that the defendant has been complying with his weekly meetings.

Respectfully submitted,

LORETTA E. LYNCH United States Attorney

By: /s/
Celia A. Cohen
Assistant U.S. Attorney
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cc: Clerk of Court (ARR) (By ECF) (without enclosure)
 Peter Kirchheimer, Esq.
 Probation Officer Javier Encisco (by e-mail)